

REMARKS35 U.S.C. 102(b) Rejection Based Upon Japanese Disclosure No. 5-302288

Claims 2, 4, and 6 stand rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Disclosure No. 5-302288. Applicants respectfully traverse this rejection because not all elements of the claims 2,4, and 6 are disclosed in Japanese Disclosure No. 5-302288.

Japanese Disclosure No. 5-302288 describes a method of pretreatment of wood pulp before bleaching which uses a variant amount of water-soluble polymer. Japanese Disclosure No. 5-302288 discloses that a range of 0.04 to 0.8 wt% per exsiccated pulp is common. Contrary to the disclosure in Japanese Disclosure No. 5-302288, the claimed invention utilizes a water-soluble polymer in the amount "from about 0.002 weight % to about 0.02 weight %."

Because Japanese Disclosure No. 5-302288 does not disclose all the elements of the claimed invention, Applicants respectfully request that the Examiner withdraw this basis for rejection and issue a Notice of Allowance for claims 2,4, and 6.

35 U.S.C. 103 (a) Rejection Based Upon Japanese Disclosure No. 5-302288

Claim 2, 4, and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Disclosure No. 5-302288. In particular, Examiner states "...it is obvious to adjust the amount of chelating agent depending upon the amount type of pulp used, and/or depending upon the amount of polyvalent metal ions in the pulp." Applicants respectfully traverse the Examiner's rejection because the Japanese Disclosure No. 5-302288 does not provide any motivation to one of ordinary skill in the art to use a water-soluble polymer in the range "from about 0.002 weight % to about 0.02 weight %" for a method a method of making mechanical pulp."

Japanese Disclosure No. 5-302288 describes a method of pretreatment of wood pulp before bleaching which uses a variant amount of water-soluble polymer. Japanese Disclosure No. 5-302288 discloses that a range of 0.04 to 0.8 wt% per exsiccated pulp is common. Contrary to the disclosure in Japanese Disclosure No. 5-302288, the claimed invention utilizes a water-soluble polymer in the amount "from about 0.002 weight % to about 0.02 weight %."

There is no motivation from the cited art, Japanese Disclosure No. 5-302288, to utilize the range of water-soluble polymer that is claimed in the present invention, as well as to select the claimed polymeric sulfide chelating agents from among the laundry list of compounds that are enumerated in the cited disclosure. The only possible motivation comes from hindsight reconstruction and that motivation is not permissible.

Because Japanese Disclosure No. 5-302288 does not provide any motivation to one of ordinary skill in the art to use a water-soluble polymer in the range "from about 0.002 weight % to about 0.02 weight %" for a method a method of making mechanical pulp, Applicants respectfully request that the Examiner withdraw this basis for rejection and issue a Notice of Allowance for claims 2,4, and 6.

35 U.S.C. 112, ¶2: Indefiniteness

Claims 2,4, and 6 stand rejected under 35 U.S.C. 112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. In particular, the Examiner asserts that the terms "about 0.002 weight % to about 0.02 weight %" are indefinite because it is not clear if the concentration is weight percent of slurry or dry pulp. Applicants respectfully traverse this rejection because the specification clearly sets forth in clear and definite terms what is meant by weight percent.

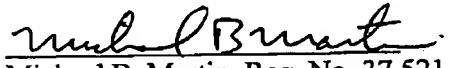
The specification states the following: "[w]eight % means weight of active ingredient per weight of dry pulp." (Specification, page 11).

Because the definition of the term weight % is clearly delineated in the specification of the application, Applicant respectfully requests that the Examiner withdraw this basis for rejection and issue a Notice of Allowance for claims 2,4, and 6.

CONCLUSION

In view of the foregoing discussion and remarks, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §§ 102(b) and 103(a) and respectfully assert that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully Submitted,


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